

A  
LETTER

FROM THE

SECRETARY OF STATE

TO THE

MAYOR OF CORK,

8146.C.3.  
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ON THE SUBJECT OF THE

BILL PRESENTED BY MR. ORDE

ON THE 15TH AUGUST 1785,

FOR

Effectuating the INTERCOURSE and COMMERCE  
between GREAT BRITAIN and IRELAND,  
on permanent and equitable Principles

FOR THE

MUTUAL BENEFIT OF BOTH KINGDOMS.

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D U B L I N :

PRINTED BY P. BYRNE, No. 108, GRAFTON-STREET,  
(NEAR THE COLLEGE.)

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M,DCC,LXXXV.



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DEAR SIR,

I Mentioned to you, during your magistracy, my intention to address you on the subject of the commercial Bill. My Letter, of the same date and tenor with that which you will now receive, was prepared but not sent to you. Reflecting that I had declined to debate the commercial part of the Bill, till our Merchants and Manufacturers should have had an opportunity of laying their evidence and observations before the House of Commons, I doubted whether the same reason did not then conclude against my declaring any opinion or entering into any argument. On a subject of great importance and complication I wished for every possible information. The address from the late Sheriffs and Grand Jury of Cork has since determined me to deliver my opinion; and, having been censured for not

assigning my reasons, I think I should no longer withhold them from my Fellow-citizens, and that my Letter as originally written to you will fully explain my sentiments. I am an advocate for truth alone; and shall be as readily disposed to acknowledge, on conviction, any error in my sentiments, as I am firmly determined not to surrender up my reason to unmerited reproach.

I have the honour to be,

Dear Sir,

your most faithful

and obedient Servant,

JOHN HELY HUTCHINSON.

KNOCKLOFTY,  
14th October, 1785.

To James Morrison Esq.

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## L E T T E R, &c.

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DEAR SIR,

I HAVE sent you printed copies of the Bill for effectuating the intercourse and commerce between Great Britain and Ireland, for the information of my constituents; and think it my duty to address them, through their chief magistrate, on a subject of such general importance, and in which the merchants and traders of the city of Cork are peculiarly interested. My object in this Letter is not so much to influence their opinions, as to rouse their attention to the different parts of this Bill; for the purpose of informing their judg-

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ments and my own. When I see in some of the public prints the grossest misrepresentations of this measure, and statements of several particulars as contained in the Bill, which are not to be found there, but are contrary to the whole tenor of it ; I consider those attempts as tending directly to alienate the affections of Ireland from Great Britain, and to disturb that mutual concord, so essential to the happiness strength and security of these two sister kingdoms. If these execrable attempts to promote discord and disunion tended only to misrepresent and calumniate individuals, I should have suffered them to pass with silent contempt ; knowing that these shafts have but momentary effects, and that every man's character will finally find its own level, and be appreciated by his fellow citizens according to the tenor of his conduct.

THOUGH the public has been assured by authority, that the Bill, brought in this session for a commercial arrangement between the two kingdoms, should never be revived

revived if not called for by the public voice, yet attempts are still making to disturb the public mind, as if this measure was to be carried through against the sense of the nation. An arrangement of commercial intercourse between Great Britain and Ireland is generally desired, or our House of Commons was mistaken in its unanimous address at the close of the last session. The interval between this session and the next should be employed in the investigation of this subject; the Bill should be dispassionately and carefully read; the objections to it fairly stated; and the advantages likely to arise from it candidly considered. I presume it will not be thought inconsistent with the character of an honest man for any of you to do this; though this is the crime objected to such of your representatives, as thought that the House of Commons should have taken the very same course. For the man who asserts, that those, who voted for the introduction of this Bill, had by such con-

duct declared in favour of any particular clauses in it, is ignorant of the course of parliamentary proceedings, or wishes to misrepresent.

THE objections to this Bill were partly of a constitutional, and partly of a commercial nature. On the first the introduction was principally opposed ; and the great ground of argument for establishing the objections on constitutional principles was taken from those parts of the Bill, which relate to the trade with the British colonies and settlements ; to the four enumerated articles from the United States of America ; the grant of the surplus of the hereditary revenue ; and the trade to the East Indies.

By this Bill we should have taken the British colony trade on the same terms with Great Britain herself ; rum excepted, which we had many years since obtained liberty to import from the British colonies, and  
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had imported, on lower duties still to be continued. She gives her colonial produce a preference to similar articles from other countries; for, having the monopoly of that produce, she always thought it just to encourage it by such a preference, and expects that we, as equal partners in that monopoly, should do the same. To this principle we have conformed since we obtained the trade. If we should at any time dislike any of the terms, we may by this Bill refuse to abide by them, and determine the agreement. Those colonies are British property; she has a right to grant them on what conditions she pleases; she now grants them to us in the same manner she holds them herself, with the exception before-mentioned which is in our favour.

ON these terms, but without any exception, our House of Commons in the year 1779 gratefully accepted the grant of this trade, in the following resolution of the 20th of December in that year:—  
 “ Resolved *nem. con.* That a liberty for  
                                  “ this

“ this kingdom to trade with the British  
“ colonies in America and the West Indies,  
“ and the British settlements on the coast  
“ of Africa, *in like manner as trade is car-*  
“ *ried on between Great Britain and the said*  
“ *colonies and settlements,* will be produc-  
“ tive of very great commercial benefits,  
“ will be a most affectionate mark of the  
“ regard and attention of Great Britain to  
“ our distresses, and will give new vigour  
“ to the zeal of his Majesty's brave and  
“ loyal people of Ireland, to stand forward  
“ in support of his Majesty's person and  
“ government, and the interest the ho-  
“ nour and the dignity of the British em-  
“ pire.” But the British act of that session,  
passed subsequent to the resolution last  
mentioned, having required equal duties  
and drawbacks, and the same duties re-  
gulations and restrictions, only in such part  
of the trade between Ireland and the  
British colonies in America the West In-  
dies and British settlements on the coast  
of Africa, as was not enjoyed by us pre-  
vious

vious to that session, our acts of parliament followed this distinction. In the first of these (a) there is the following clause :—  
 “ Whereas such part of the trade between  
 “ this kingdom and the British colonies in  
 “ America, the West Indies, and British  
 “ settlements on the coast of Africa, as  
 “ was not enjoyed by this kingdom pre-  
 “ vious to the present session, *can be en-*  
*“ joyed and have continuance so long and in*  
*“ such case only, as the goods, to be imported*  
*“ from the said colonies plantations or*  
*“ settlements, shall be liable to equal du-*  
*“ ties and drawbacks, and be subject to the*  
*“ same securities regulations and restricti-*  
*“ ons, as the like goods are liable and sub-*  
*“ ject to upon being imported from the*  
*“ said colonies plantations or settlements*  
*“ into Great Britain, or exported from*  
*“ thence to such colonies plantations or*  
*“ settlements respectively.”*—And this clause, copied from a British act of that session, is to be found in every Irish act

(a) 19th & 20th Geo. III. chap. II.

from

from the year 1780 to this time, including the present session (*b*).

THESE terms were enjoined by the legislature of Great Britain as the condition of the grant, which the legislature of Ireland has uniformly recited and performed in every material article. The enjoining or complying with this condition was never thought a violation of our constitution; it was a condition annexed to the commencement and continuance of the commercial grant of the colonies; it is a condition, which this Bill still annexes to the same grant, and also to the new grant of the British markets. The nature of the new grant has made it necessary, that the condition should be expressed with more clearness and precision; but its principle is in no respect varied. The same liberty of performing or not performing the condition would still remain; because the national

(*b*) See 21st & 22d Geo. III. chap. 5. 23d & 24th Geo. III. chap. 5. and 25th Geo. III. chap. 4.

faith is not pledged by the agreement of 1779 or the bill of 1785, to adopt any British law. The condition was not obligatory to Ireland ; it is not now proposed to be obligatory ; it did not violate the constitution from 1779 to 1785 ; it does not violate the constitution now.

ON one of the laws of this period, introduced by some of the great supporters of our legislative independency, and passed in the year 1782 (*c*) after the restitution of our constitutional rights, the present Bill in the parts that relate to legislation is founded, but is not carried so far. A law, formed at such an important era by men of such high characters, well deserves our most serious attention, when we are considering the propriety of uniformity of laws or concurrence of legislation. It recites as a fact, “ that it is “ the earnest and affectionate desire of “ his Majesty’s subjects of this kingdom,” and lays it down as a principle, “ that it

(c) 21st & 22d Geo. III. chap. 48.

" is their true interests, that a similarity of  
 " laws should at all times subsist between  
 " the people of Great Britain and Ireland ;"  
 and with this view it enacts, " that all  
 " such clauses and provisions, contained in  
 " any statutes theretofore made in Eng-  
 land or Great Britain *concerning com-*  
*" merce,* as import to impose equal re-  
 " straints on the subjects of England and  
 " Ireland and to entitle them to equal  
 " benefits, should be accepted used and  
 " executed in this kingdom—provided al-  
 " ways, that all such statutes, so as aforesaid  
 " concerning commerce, shall bind the sub-  
 " jects of Ireland, *so long as they continue*  
*" to bind the subjects of Great Britain."*

By the latter part of this law we give to  
 the British legislature the power of repeal-  
 ing laws of Ireland, the duration of which  
 is referred to that legislature; and from  
 this clause a probable intention may be  
 inferred of adopting such laws, as should  
 be made in Great Britain in the place of  
 the laws so repealed, provided the restraints  
 and benefits were equal in respect to both

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countries. The opinion of the legislature at that time is express, that uniformity of commercial laws would promote the interest of both kingdoms; and, if that advantage could not have been obtained without injuring the independency of Ireland, that opinion would not have been advanced at the moment of its establishment.

COMPARE that act and the present bill. The act establishes the British commercial laws, which contain equal benefits and restraints, as laws in Ireland, with a retrospect of 290 years; and extends the idea of similarity of laws between the two kingdoms not only to seamen, but to commerce generally. This Bill makes it a fundamental condition of the proposed agreement, that the ships and seamen of both countries should, by the laws of both, be secured in the same privileges advantages and immunities; but as to commerce, restrains the similarity of laws to that commerce only, which consists of British property, and arises to Ireland from British

concession, or is immediately and necessarily a part of that system; and even there binds the British legislature to the rule of equal restraints and equal benefits, of which the Irish legislature being also to judge, a concurrence of legislation would have grown out of this system, in the exercise of which the sentiments of both nations must have been consulted, and the consequence would have been an enlargement of the objects and power of Irish legislation, and certainly no diminution or dependency. By the operation of this Bill, the subject of every law, proposed for our adoption, would be distinctly considered either during its progress, or soon after it passed in Great Britain; but by the act of 1782 the acts of near three centuries were adopted in one heap. If the Bill is unconstitutional, the act is infinitely more so. But neither is subject to that imputation, because similarity of laws is a just and constitutional principle, if neither of the countries can be bound without the assent of its legislature.

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THE justice of the rule, that *Cujus est dare ejus est disponere*, was never questioned; but Great Britain offers to relax this rule in favour of Ireland, and to engage to give herself no benefit in her own colonies that she does not give to her sister kingdom; to impose on her no restraint in that commerce which she gives, that she does not impose on herself; and to make Ireland in some measure a joint legislator with herself over a part of her own empire. It is and ever has been a part of the British colony system, to favour the produce and manufactures of her colonies against the interference of similar articles from foreign colonies and states. She expects, that, as long as you choose to enjoy the benefit of this system, you should do the same, and that these similar articles should be made subject to the same duties on importation in this kingdom as in Great Britain. To this we have hitherto conformed without objection or inconvenience. The same principle applies equally to the like articles

cles imported from the United States of America; and therefore to four of these articles, namely rum, peltry, whale-bone fins, and oil, of which the British colonies can furnish a complete supply, the same condition is annexed. That this was considered as a part of the colonial system, and not founded on any intention to regulate the trade of Ireland by British law is manifest from this—that motions made on this occasion in both Houses of the British Parliament, to regulate our trade with the States of America in some articles unconnected with the colony system, were rejected on this avowed principle, that Great Britain had no power to regulate any part of our foreign commerce. If by this agreement Ireland was to retain the liberty of importing from other countries produce or manufactures similar to those of the British colonies, she would not take the colony trade on the same terms with Great Britain.

IT is true the British act of 1780 allows Ireland a selection ; but we framed our import duties from the year 1779 pursuant to the resolution of our House of Commons in that year, and followed the British laws ; and, as by the proposed agreement we were to have the liberty of importing British colonial produce from this kingdom into Great Britain, she thought it necessary to annex it as a condition to this agreement, that we should subject similar articles from foreign countries to the same duties regulations and restrictions as in Great Britain ; because otherwise we might import those articles, as the produce of the British colonies, into her ports with little probability of detection, and subvert her whole colony system. This argument applies equally to the four enumerated articles from the American States.

BUT whether we adopted British colony laws in a smaller or greater number of articles, makes no difference in the constitutional

tutional principle. If it violated our independency in one case, it would be equally a violation of it in the other. But it is a violation of it in neither. The objection, that if we refuse to adopt the British law we should lose the benefit of this agreement, applied with more weight to the condition of 1780, because Great Britain gave us then more than she has now to grant.

WHEN I reflect, how long Scotland had endeavoured to obtain from England the protection of her navigation laws and the benefits of her colony trade; that, what is now offered to be permanently granted to Ireland without any infringement of her rights of legislation, could not be purchased by Scotland without the surrender of her legislative sovereignty; when I reflect with what effusions of public gratitude we received that very boon, which some of us seem now to disdain and spurn; and how carefully and affectionately it had been cherished

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by our legislature in the acts of every succeeding session; I view with amazement the wonderful revolutions of human sentiments, and consider the constitutional jealousy arising from the proposed system of colonial legislation, as one of those popular delusions, which have too often inflamed the passions and misled the reasons of men.

A FURTHER constitutional objection has been made to that part of the Bill, which grants in perpetuity the surplus of our hereditary revenue above 656,000*l*, and to the support of that grant by a supposed perpetual Revenue Bill. As to the grant, it is necessary to observe, that the guarding the seas had been a heavy expence to this kingdom as early as the reign of King Charles the first (*d*) At the restoration specific duties were granted, and granted in perpetuity, "for the better guarding and defending of the seas against all persons intenting or that may intend the distur-

(*d*) Strafford's Letters, vol. i. p. 68, 152.

" bance of the intercourse of the trade of  
 " this your Majesty's realm, and for the  
 " better defraying the necessary expences  
 " thereof, which otherwise cannot be ef-  
 " fected without great charge; and for  
 " increase and augmentation of your  
 " Majesty's revenue."(e) The probable a-  
 mount of the proposed grant for many  
 years to come would be far inferior in va-  
 lue to one year's amount of the duties  
 granted by that act, and granted in the  
 first place for this specific purpose. This  
 part of the Bill would provide for the same  
 service with more œconomy, and with  
 much better effect. When I say with  
 much better effect, I speak from experi-  
 ence. In the late war frigates were sta-  
 tioned off the coast of Scotland to protect  
 the trade of that country. I presented a  
 memorial from Cork to the then admini-  
 stration of Ireland, praying that the same  
 attention should be shewn to the southern  
 and western coasts of this kingdom. I was

(e) 14th and 15th Ch. II, chap. 9.

not able to prevail. But when this navy becomes the navy of the empire, to the support of which Ireland contributes, it would be Irish as well as British ; and there could be no longer a foundation for any distinction. Our contribution would center among ourselves, and would encourage our industry, by the investment of our quota in our own manufactures.

As to the second objection to this part of the Bill, the fact has been misapprehended. It is no part of the Bill that this grant should be supported by a perpetual Revenue bill. It would have been supported with good faith ; but, like the rest of our revenue, by annual bills in aid of the acts of excise and customs, which are now perpetual.

It has been objected in a neighbouring kingdom, that the grant of this surplus is a diminution of the royal power and property. It certainly is so, and has justly

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and liberally been conceded, to strengthen the whole empire by a great commercial adjustment between these two countries. But to state this part of the Bill as an incroachment on the rights or power of parliament, or as weakening or limiting the freedom of the constitution, is a strange perversion of the most obvious tendency and effect, of a regulation calculated to promote the manfactures, protect the commerce, strengthen the constitution, and provide for the defence of the nation.

As to objections made, on constitutional principles, to those parts of the Bill that relate to the British East India Company, I shall consider them more fully when I come to the commereial parts of the subject, to which they properly belong. I will only say in this place, that I consider those parts of the proposed agreement as an exchange, by mutual consent, of a commerce which exists in theory only, and which may never be productive, for a certain immediate and advan-

advantageous commerce to a great empire in that part of the globe, and to Great Britain, neither of which we can acquire without such an exchange; and, this possible commerce being reassumable at our pleasure by parting with the consideration given for it, and as we barter commerce for commerce and not commerce for constitution, that no objection of a constitutional nature can justly apply to those paragraphs of the Bill.

I CANNOT discover in any of those instances the smallest particle of legislative power gained by Great Britain or lost by Ireland. The former has always made laws to regulate the trade with her colonies and settlements in Africa and America; by this agreement she is to continue to do so. The Irish legislature now follows those laws, and has declared by several of her statutes that it is reasonable to do so. After this agreement, she will continue to follow them as long as she thinks it reasonable.

reasonable. But, when this event shall have taken place, Great Britain in making those laws must consider, what regulations appear equal to the Irish legislature, or she hazards the continuance of this agreement. What legislative power is Ireland to lose ? When a Bill shall be brought into either of our houses of parliament, relative to the British Colonies or to the four articles from the American States, shall we not have the same power over that as over every other Bill ? Can we not amend any part, or reject the whole ? Can we not say, the restraints and benefits are not equal, or though they are equal they are not wise, and they shall not be the law of Ireland ? But then you risk the agreement—so would the British legislature, if she made any law relative to her colonies and settlements, which the Irish legislature should think unjust. But the determination of the agreement would not necessarily follow our varying or rejecting their Bill ; for by the proposed agreement the dissatisfaction of the

the British legislature must be first declared. If our conduct should be founded on just grounds, it is not improbable that no such dissatisfaction would be declared, but that wise and moderate men might suggest some expedient, or recommend some middle course that would be agreeable to both countries, and that the British legislature would vary or change its law. But, it is said, you could not originate the Bill. In respect to the British colonies and settlements, no man could be so unreasonable as to desire it; as to foreign colonies and the four enumerated articles, our right to originate would be unquestionable. I speak of the right, not of the exercise of it, the prudence of which must depend on the occasion.

IF Great Britain neither gains nor Ireland loses any power of legislation, where is the injury to our independence? Where is the bridle that is to be thrown, it seems, over the neck of the high spirited steed? It is held out, not by those who offer, but by those

those who would scare him from his prover-  
der.

I THEREFORE thought and still think, that there was no good reason on constitutional grounds against the introduction of the Bill; for which introduction I voted. Considering the subject in its true light, as merely commercial, I thought that there were strong reasons to induce even those, who objected to some of the commercial regulations of the Bill, to vote for liberty to bring it in. A commercial settlement between the two kingdoms is acknowledged by every reasonable man to be much wanted; and how this can be obtained, without temperate discussion, and the communication to each other of the points in which they agree, and of those in which they differ, I cannot comprehend. In the accomplishment of the British union many delays and differences in opinion had arisen. Though the commissioners, appointed for that purpose under the authority of the parlia-

parliaments of both kingdoms, had on both sides signed and sealed the articles of union, yet the Scotch parliament made many important alterations, which were adopted by the English parliament. In the proceedings to establish a commercial union between Great Britain and Ireland difficulties and differences in opinion must necessarily have arisen among men of the best intentions. Our propositions have been altered by the British House of Commons ; their resolutions have been altered by the Lords of Great Britain ; and these alterations were adopted by the House of Commons of that kingdom. In the progress on the Irish bill the fullest discussion was intended. Every objection would have been heard, and every well-founded objection doubtless must have been allowed, and every proper alteration made. Nothing final during this session was ever in contemplation. A great length and variety of examination must have preceded the settlement of the schedule of duties and regulations. This schedule must

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have been laid before our two Houses of Parliament in the next session for their approbation; and, after all this had been done, nothing could have been concluded, until the Irish parliament had declared its satisfaction in the acts of the British legislature.

THE Bill offered to Ireland many commercial advantages of the most important nature. It secured for ever the linen trade of this kingdom. The agreement, effectually to favour our manufactures, would have been of great value to us. The encouragement, which it gave to our sail-cloth manufacture, would have occasioned an annual profit to a very great amount. The perpetual supply of rock salt would have been useful to our victualling trade and fisheries; of bark to our manufacture of leather; and of coals to all our manufactures. The perpetual exemption of this last article from duty on the export to Ireland would have been a great and peculiar advantage

advantage to our manufacturers. The inhabitants of Great Britain pay for their own coals, from port to port, five shillings the chaldron. An intention has been mentioned not long since to tax this commodity at the pit. If this Bill had passed, the tax would be drawn back, and this kingdom secured against any imposition, which the necessities of Great Britain may induce her to lay on the export of this necessary article. If Great Britain had not given of late years the strongest proofs, that she is not disposed to look to times of less liberality, for precedents to govern her conduct in respect to her sister kingdom, it would not be prudent to mention, that English coals came formerly to Ireland under a duty of four shillings the ton, imposed on the export by an English act (*f*).

I ALSO thought the circuitous colony trade from Ireland to Great Britain would have been highly useful to this kingdom,

(*f*) Carte's Life of Duke of Ormond, vol. i. p. 84.

and particularly to the city of Cork. I thought the opening of the British markets to our manufactures would be, in one respect, of the utmost importance to this kingdom, I mean by the re-exportation of Irish manufactures from Great Britain with a drawback of all duties: and, if this opinion is well founded, we should consider the advantages of having our manufactures exported to all parts of the world, by the capitals and credit of Great Britain. By this assistance our linens to a great amount are re-exported from England; and this assistance has ever been one great source of the prosperity of that manufacture. Under the proposed agreement, all our other manufactures would have been re-exported from thence equally free from duty.

THAT the British markets would have produced consequences so extensive in favour of Ireland, as her principal manufacturers affirmed, it is not my opinion. That Ireland would have been materially benefited by it in some of her manufactures, I entertain

no

no doubt. And, whenever Great Britain can lighten the taxes on her manufactures and on the materials of them, which must naturally be one of her first objects when her circumstances permit, this part of the proposed agreement would effectually open the best, the nearest, and the most certain markets in the world to Ireland ; and would promote the most beneficial of all trades, because the whole profits would belong to the subjects of the same empire, and because a capital employed in a home trade, which this may be justly considered, may be sent out and brought back many times, before the capital employed in a foreign trade has made one return ; which must be peculiarly advantageous to a country deficient in capital, and would at the same time be attended with all the advantages of foreign trade, by increasing the quantity of specie and the number of ships and seamen. The re-export of our manufactures from Great Britain ensures their admission

admission wherever British are received, and baffles the ungenerous policy of Portugal.

In all those particulars the advantages are on our side ; and, if we hesitate whether to accept or not the colonial and domestic markets of Britain on terms equally beneficial with herself, I will venture to tell you that no nation in Europe, which had no colonies of her own, would follow your example. If this part of the subject admitted no doubt, the questions then for the consideration of our Houses of Parliament would have been, whether they thought it reasonable and just to agree to the parts of the Bill, that related to the East India trade, and to the prevention of prohibiting the export to Great Britain of our yarn. The first of these considerations would have depended on the evidence of our merchants, as to the parts of the East which were open to us, for no European settlement there would admit us ; whether

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we had sufficient capitals to carry on that trade; and whether any probable future advantages (for present there are none, as we have never sent a ship there, though at full liberty so to do during the last six years) were of sufficient weight to prevent a commercial settlement between the two kingdoms, in which Great Britain offers you access to all her markets foreign and domestic, on the same terms with herself; with a covenant on her part effectually to favour every article of your growth produce or manufacture, materials from foreign countries excepted, which are to be imported in both kingdoms duty free; and in which she offers an export of your manufactures with all duties drawn back, through the medium of her Company, to her East Indian territories, by which channel alone she can convey her own manufactures thither—the benefit of whatever revenue shall arise on India goods sent to Ireland, or a drawback on the exportation from Great Britain, which would give them to us free

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of all duties—and an equal trade with Great Britain in her possessions in India, in the event of a dissolution of the Company ; in which Company, during its continuance, you have an equal right with Britons of becoming adventurers; and from which you can purchase the produce of the East in an open market and at a public auction, on the same terms with your fellow-subjects of Great Britain, and on cheaper terms than at any other market.

THESE several circumstances appeared to me to have been worthy the consideration of the House of Commons; which, after having been fully informed on this subject, would have been more competent to determine, whether we should or should not, in favour of the British East India Company, and in consideration of the other commercial benefits proposed to us, impose this limitation on our commerce, determinable at the discretion of our two Houses of Parliament; which, while we allowed it to continue, would have placed Ireland in precisely the same circum-

circumstances with every part of Great Britain, London excepted.

HAD this part of the agreement been found injurious to the probable hopes of our rising commerce, it ought to have been and unquestionably would have been rejected. If it had appeared, that, without prejudice to ourselves, we could have strengthened the staff on which our sister kingdom leans in the day of her adversity, what generous Irishman would have withheld his concurrence. But if this part of the Bill, instead of imaginary prospects, in the place of commercial visions, offered us some immediate real and substantial benefits, the choice would not have been difficult to make.

THE agreement not to prohibit the exportation of our yarn would be an engagement not to relinquish a beneficial and profitable part of our commerce; beneficial and profitable to the whole kingdom, but

to Munster in particular : it would be an agreement not to do what we shall never do, though no such agreement existed. When it is considered that Ireland gains by this export above 340,000*l* yearly (*g*) ; that it is a manufacture, though an imperfect one, which employs great numbers of our people for whom it would be difficult to find any other employment ; it seems to be a proposition almost self-evident, that the exportation should never be prevented by any other means, than by giving every possible encouragement to our own people to manufacture it at home, the only rational and effectual means of preventing the export.

BUT it is objected, that Great Britain prohibits the exportation of her yarn, and that there is no equality in our agreeing not to prohibit. I answer, that the policy of that nation in this respect has been condemned by persons of great commercial in-

(*g*) At a medium of 7 years, ending 25th March 1784, it amounted to 348,927*l.* 5*s.* od.

formation; that these prohibitions were laid on to gratify the manufacturers of that country, who have been sometimes much mistaken in their opinions on this subject. In 1698 they petitioned that the importation of all worsted and woollen yarn from Ireland should be prohibited, and represented that the poor of England were perishing by this importation; and in 1739 (*h*) they petitioned against taking off the duties on those articles from Ireland to England; but now they insist that it should be made a part of this agreement that the exportation from Ireland to Great Britain should never be prohibited—a caution to manufacturers not to be too confident in their present opinions, and to the public, not to give way to such opinions without hearing proofs or reasons. As to equality, it is to be estimated by the sum of advantages on each side, and not by a compari-

(*h*) English Comm. Journ. Commercial Restraints,  
page 115.

son of each article separately. Thus Britain gives bounties on Irish linen exported from her ports, but we give none on British exported from ours. In yarn the inequality is merely nominal. In coals the equality is but nominal, and the whole advantage is in the Irish scale.

IN these and other articles the exercise of the legislative power would be restrained in this kingdom during the continuance of the agreement ; and in many articles similar restraints would be imposed on the British legislature ; but without such restraints no commercial agreement could ever be framed between two independent legislatures. Restraints of the same nature made a part of our propositions, which were almost unanimously agreed to, and were never considered as subversive of constitutional rights. Limitations, which arise out of the power of the legislature, and depend for their duration on the same power, are not arguments against but the clearest proofs

proofs in support of legislative independence. Agreements to direct the channels in which trade shall flow, or to commute the barren speculation of a possible distant trade, which is open to us but which we are not now able to enjoy, and perhaps may never be worth our having, for a beneficial trade which is not open to us, and which we may acquire by the suspension of an useless right reassumable at our pleasure, would not be a relinquishment but an enlargement of commercial freedom, and a just and constitutional exertion of legislative power for salutary purposes. Let us apply this reasoning to the East Indian commerce. You have no liberty of trade with the British empire in India. Great Britain offers you an export of your manufactures to those countries from Great Britain and Ireland, on the same terms with her own, through the medium of her East India Company, to which she limits herself. She offers you at the same time her own markets in the same manner that she enjoys

enjoys them herself; but to this she annexes a condition, that, while you think proper to enjoy those benefits, you should agree not to trade to the few hospitable shores, that will receive you between the Cape of Good Hope and the Streights of Magellan; and that, when you choose to relinquish that profitable liberty of trade which she offers and which you have not, you may then reassume that unproductive liberty of trade, which you have now in theory only.

SOME of the commercial regulations of this Bill have been misunderstood, I mean those which relate to bounties, and the breweries.

As to the first the Bill directs, that all bounties, except such as are in the nature of drawbacks or compensations for duties paid, on any articles to Great Britain, shall cease, with an exception of corn malt flour and biscuit; that no bounty to or

or from a British colony or settlement, or to the East Indies, shall be payable in Ireland, unless in cases where a similar bounty is payable in Great Britain; with an exception when such bounty is in the nature of a drawback or compensation for duties paid. The bounties to her own settlements Great Britain has a right to regulate. The ceasing of all bounties on articles from Ireland to Great Britain is followed by her Bill as to bounties from Great Britain to Ireland, to prevent a war of bounties, which would be hurtful to both countries. The bounties, payable in this kingdom to encourage the sale of our manufactures in our own markets, or on exportation to foreign States not British colonies or settlements, are in no sort restrained.

THE parts of the Bill relative to bounties, which are highly advantageous to Ireland, have been perverted into objections against the Bill. A proof of the great utility of those regulations is to be found in  
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the fate of the sail-cloth manufacture. It flourished before the British bounty. It was ruined by that bounty. It will flourish again by the withdrawing that bounty; and, by the preference given to it by this Bill over foreign in the British navy, by the other encouragements which it is to receive in the out-fit of British and colony ships in being considered as British, and by the export to India, will flourish in a far greater degree than at any other period, and will become one of our most important branches of manufacture.

IN respect to the breweries, we should have been gainers by the proposed agreement, as the duty on British beer, now 4*s. 1*d.** would have been then 5*s. 4*d.** the barrel.

I THOUGHT those commercial matters were proper subjects for investigation; that the Bill, which related to them, should be brought in and printed and dispersed thro' the

the kingdom ; that our merchants and manufacturers should be examined to every part of it ; and that not a step should have been taken in it without seeing our way clearly, and without the concurring sense of the trading part of the nation. I did not think myself at liberty even to debate the commercial parts of the Bill, before the commercial evidence of Ireland was heard ; but I am forced by the most unfounded and malicious misrepresentation to mention my present sentiments, with the readiest disposition to change any of them on better information, but with the firmest disdain of groundless clamour.

ON those principles I voted for the introduction of the Bill. Had it appeared, on the introductory statement of it, to have contained any thing derogatory to the independence of our legislature, or that could have justly raised a doubt of that kind, I would have voted either against the introduction, or for the immediate rejection of it.

MANY of my fellow-citizens petitioned against the resolutions of the British parliament. I stated their petition more fully than petitions are usually stated. I was not called upon to give my opinion on those resolutions. As to the legislative rights of Ireland, the address of the British Lords and Commons to the throne has declared their sense; and the Bill of the British House of Commons has spoken most explicitly and decidedly on that subject. The Irish Bill differs materially from those resolutions, and contains many new provisions in favour of our constitution and commerce. I speak of that Bill for the introduction of which I voted; and on the ground of that Bill I will maintain this position against any man.—That it neither surrenders nor impairs, nor promises or engages or tends in any respect to impair, the independence of the legislature of Ireland; but that on the contrary it expressly reserves to this and all succeeding parliaments the full exercise of legislative rights, in all acts of legislation whatever; and gives

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to our Houses of Parliament a greater power than any Houses of Parliament ever had before, by placing in their hands, without the royal assent, the repeal of a legislative agreement.

CONSIDER the present state of the British empire. Survey your own country, with an honest pride, as a most important part of that empire; conscious of your own weight in the general scale, be not too prone to suspect, that any English ministry would be mad enough to invade your liberties, or to impair either your commercial or constitutional rights. What is now the necessary object of British councils? To strengthen and connect the remaining parts of the empire. What are the principal means of effecting this? Multiplying the resources, increasing the wealth, promoting the population and industry, and establishing the tranquility and contentment of Ireland. No two countries on the globe are more necessary to the happiness of each other than those two islands. The man,

who considers them as adversaries and not as partners in commerce, is not a judicious friend to either. The man, who attempts to serve one at the expence of the other, would injure both. What is the obvious wish and interest of the enemies of the British empire? To separate these two kingdoms. First to weaken and disunite the British empire, and then to subvert it. What would become of the liberties of Ireland then?—Counteract your enemies, co-operate with your friends, and consolidate the strength of the two kingdoms on such terms, as shall appear to be of equal advantage to each.

LET me ask any of my fellow-citizens some few plain questions. Have we since 1779 to this time followed British laws, by laying the same duties on all colonial produce, foreign as well as British? Have you felt any commercial or constitutional prejudice by this? Do you think it reasonable, that Great Britain should allow you to bring into her ports the produce of foreign colonies, whilst she prohibits herself from doing

doing so? Have not her colonies been the great source of her superior commerce and maritime strength? Would you promote the trade and navigation of Great Britain, and in effect of Ireland, or of foreign nations? Would you strengthen the fleet which protects, or that which may be destined to invade you? Is there any country, the trade to which is more valuable to Ireland, than her trade with the rest of the world? Is not Great Britain that country? Can more effectual means be devised for promoting your trade, than by extending the most valuable part of it? Was not this the object of our propositions, and is not this the object of our bill?

WHAT would you have? To remain as we are. How, would you have Britons keep their markets shut against you, whilst you keep your markets open to them? Shall they supply you with colony produce, and refuse to receive it from you? Is this equality of commerce or constitution? Give us similar prohibitions or prohibitory duties

duties. Are you inclined to bring your linens within this rule, and can you justly expect that Great Britain should encourage your staple manufacture, with prejudice to her own in other countries, if you discourage hers? Are you aware, that every protection to a manufacture by a duty, which excludes a better or a cheaper manufacture of the same kind, is, to the amount of the difference in price, a tax on every other manufacture, and every other man in the community who buys the protected manufacture? Do you prefer a system of mutual prohibitions, that tends to protect idleness or ignorance in both kingdoms, to a system that sets up the industry and skill of each nation as an example and rival to the other? You certainly feel no dastardly repugnance to this noble emulation? Do you prefer exclusion to comprehension; reciprocal restraints, prohibitions, perpetual jealousies, and ill-will, to the mutual intercourse of kindness and encouragement, which bids the mixing commerce of the two kingdoms roll in one common flood?

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THERE is no kindness, you say, in the attempt to exclude us from a trade to the East(i). Is there none in offering you a trade to her extensive dominions there? Does she give greater liberty to the inhabitants of Great Britain? Which is most valuable, the trade she offers, or that of which she proposes to you still to suspend the exercise? If the exchange is in your favour, is there any thing dishonourable in accepting of it? or any thing indecorous in proposing it? Would you have her violate her national faith, and dissolve her India Company? No, you say, that expectation would be unreasonable and unjust. Tell me then what can she offer more than she now proposes to you, either whilst that Company exists, or in the event of its dissolution? I ask you but one question more. Does Great Britain possess in any one part of the globe any

(i) The most valuable part of that trade, which consists in teas, we have already relinquished in favour of the British East India Company, without murmur, though without any equivalent. We are now offered an equivalent, for what we have, in effect, already conceded without any.

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one article of free commerce whatever, in her power to participate, which she does not open as freely and beneficially to Ireland as to herself? And then consider, my Fellow-citizens, what nation upon earth has the widest and best regulated range of commerce.

IN considering the Bill, examine the fundamental principles in the first place. What are they? 1st, To encourage and extend as much as possible the trade between the two kingdoms, on permanent and equitable principles. 2dly. That the inhabitants of each should trade to and from the British colonies settlements and dominions in every part of the globe, now or hereafter to be planted made or acquired, on equal terms both directly and circuitously. If you disapprove of the principles, reject the Bill; if you approve of the principles, go into the detail of the Bill; approve or amend or reject according to your judgment, applied coolly to every distinct and separate

separate part of this comprehensive system. In this you will act with that wisdom and temper which become a great commercial city. Consider whether any clause or expression in it can have the most remote tendency to injure your constitution. If you find any such, reject it, whatever commercial benefits the Bill may offer. But pray, let the clause be first read, and a little considered, and a little understood. Judge of it from the plain words of the text itself, and not from the brilliant paraphrase of eloquent commentators ; and let not every man, who thinks proper to beat on the spirit-stirring drum of the constitution, make you start and tremble, and frighten you out of your wits.

I CERTAINLY consider myself accountable to my constituents for my parliamentary conduct ; but on great national questions it is my duty to think as well as to act for them. I desire only that they will read the Bill, make themselves, as I have

endeavoured to do in respect to myself, masters of the many important and complicated subjects which it comprehends; and *then* say, whether a member for the first trading city of Ireland, who was not unversed in subjects of constitution and commerce, would have acted as became him, if he had voted that a subject of this nature should not have been considered. I have voted only that it should be considered; and was never more thoroughly convinced, that I never gave a vote of more beneficial tendency to the city of Cork; and have no doubt that my constituents will hereafter view my conduct in this light. I affectionately regard my fellow-citizens, and there is nothing I value more than their esteem, except the lasting interests and happiness of them and their posterity. I desire only that they may judge for themselves, and of the Bill itself by its own merits; and not view it through the medium of misrepresentation, which so many men in both kingdoms have, or think they have, an interest

rest in placing between the public and the real subject for their consideration.

THE great principle of this Bill, namely equal freedom in each kingdom to the merchants and manufacturers of the other, has been long my decided opinion (*k*). When for your service I endeavoured to give some light to this subject, I pointed out this inequality as one of the just grounds of our commercial complaints. Are my Fellow-citizens, after twenty-five years experience of my conduct as one of their representatives, so little acquainted with my character, as to suppose me capable of expressing to the public the warmest feelings on the subject of their former oppressions in trade, and that I should now have any design to renew those grievances or to impair those constitutional rights, which alone can protect them in the enjoyment of commercial freedom ! Apply all the exertions of your knowledge and experience to this subject ;

(*k*) See Commercial Restraints of Ireland, Letter 9.

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its importance deserves them all. Shew your veteran, and let me add faithful representative, that any part of the measure injures your rights as merchants, manufacturers, or freemen, and then see whether any man will use more vigorous exertions for your service. But consider it with that temper and good sense with which the conduct of my Fellow-citizens has been usually marked ; and do not suffer it, before it has been read or understood, to be encountered by violence and outrage.

I have the honour to be,

Dear Sir,

your most faithful

and obedient Servant,

JOHN HELY HUTCHINSON.

PALMERSTON,  
5th September, 1785.

To the Right Worshipful  
James Morrison Esq;  
Mayor of Cork.

F I N I S,



